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REMARKS

This is in response to a Restriction Election mailed January 15, 2004. Applicants respectfully traverses and request reconsideration.

Applicants' Attorney extends gratitude to Examiner Roman for courtesies extended in a February 6, 2004 telephone call. During the telephone discussion, the Examiner maintained that the present Restriction/Election of variant species based on figures as being proper under 37 CFR § 1.1.

Applicants respectfully resubmit that the present Restriction/Election is improper because, among other things, 37 CFR § 1.142 requires that "if two or more independent and distinct inventions are claimed in a single application, the Examiner in an Office Action will require the Applicant in the reply to that Action to elect an invention to which the claims will be restricted." (*emphasis added*) As noted on page 2 of the present Restriction/Election, the Examiner indicates that the application contains claims directed to two different species of the claimed invention, specifically FIGs. 6 and 9. Although, the Examiner has not provided any indication as to specifically which claims provide for each asserted species.

In the present Restriction/Election, the Examiner indicates that FIGs. 6 and 9 provide for two variant species of the claimed present invention. Applicants assert confusion with regard to the Examiner's position as the Restriction/Election is not directed to FIGs. 6 and 9, but rather by rule must be directed to specific claims. Instead, Applicants submit that a proper analysis of pending claims of the present invention provide for a single claimed species encompassing the invention of FIGs. 6 and 9.

Looking specifically at claim 27, claim 27 recites a method comprising the steps of directly attaching a first semiconductor die to a package substrate. FIGs. 6 and 9 both succinctly illustrate a first semiconductor die attached to a package substrate. For example, but not specifically limiting herein, FIG. 6 illustrates a first semiconductor die 110 being an unpackaged semiconductor die and FIG. 9 illustrates the first semiconductor die being, in one embodiment, an unpackaged die. The next step of claim 27 is forming electrical connections between the first

semiconductor die and the packaged substrate. FIG. 6 illustrates these two elements being in contact therein. Another step of the method is placing a second semiconductor die in a die package and attaching the die package to the package substrate. In one embodiment, FIG. 6 illustrates packaged dies 120 and 130 coupled to the substrate 140, wherein these elements are further illustrated in FIG. 9. Therefore, original claim 27 provides for limitations as disclosed by both FIG. 6 and FIG. 9.

It is further submitted that the same analysis applies to claim 43 which is a method of forming a multi-die module. The method includes mounting a first semiconductor die to a module substrate, wherein the first semiconductor die may be, in one embodiment, the packaged the unpackaged die 110 or 111. Claim 43 recites further limitations such as placing a second semiconductor die in a corresponding die package and mounting the die package to the module substrate. As discussed above, FIGs. 6 and 9 illustrate semiconductor dies 120 and 130 mounted to the module substrate.

Therefore, Applicants submit the present Restriction/Election is improper as there exists generic claims covering both species of FIGs. 6 and 9. Therefore, reconsideration and withdrawal of the present Restriction/Election is requested.

Assuming *arguendo*, Applicants provisionally elect Species A directed to FIG. 6. Applicants submit that claims 27-45 are directed to the species illustrated in FIG. 6 as claims 27 and 43 recite limitations disclosed in FIG. 6 and claims 28-42 and 44-45 recite further patentable therein.

Accordingly, Applicant respectfully submits that the claims are in condition for allowance and that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

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Respectfully submitted,

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